

REMARKS

In Paragraph 1 of the Office Communication the Examiner states that the amendment filed on September 13, 1999 has necessitated the further election of species set forth therein. There is no Amendment that was filed on September 13, 1999 in the subject application. It is believed that the Examiner intended to refer to the Amendment filed on March 3, 2000. Applicants request confirmation that the Examiner intended to refer to the Amendment filed on March 3, 2000 or clarification in the next Office Communication.

Requirement for Election of Species

In the Office Communication, the Examiner states that the application contains claims directed to three patentably distinct species, namely:

- A) MAdCAM fusion protein encoded by SEQ ID NO:2
- B) MAdCAM fusion protein encoded by SEQ ID NO:4
- C) MAdCAM fusion protein encoded by SEQ ID NO:6

However, the pending claims are not drawn to such species. SEQ ID NOS: 2, 4 and 6 are amino acid sequences and, therefore, do not encode MAdCAM fusion proteins. Some of the claims read on MAdCAM fusion proteins that comprise SEQ ID NO:2, 4 or 6. Thus, it appears that the species of MAdCAM fusion proteins are properly defined as fusion proteins comprising SEQ ID NO:2, 4 or 6. Applicants election of species is made with the understanding that the species are fusion proteins comprising SEQ ID NO:2, 4 or 6. Applicants request confirmation that their understanding is correct or clarification in the next Office Communication.

The Examiner further states that the application contains claims directed to the following patentably distinct species:

- A) MAdCAM fusion protein containing a portion of an immunoglobulin chain
- B) MAdCAM fusion protein containing a portion of a mutant immunoglobulin chain

Responsive to the first requirement for election of species, the species of Group (A), MAdCAM fusion proteins comprising SEQ ID NO:2, is elected for prosecution. Responsive to the further requirement for election of a single disclosed species, the species of Group (A),

MAdCAM fusion protein containing a portion of an immunoglobulin chain, is elected for prosecution. Claims 24-26, 28-32, 102-116 and 118-135 read on the elected species.

The Examiner is reminded that the next action should be on the merits in accordance with the procedure set forth in MPEP § 809.02(c).

Related Applications Paragraph

The specification has been amended in the Related Applications paragraph to correct the relationship between the referenced applications (see Amendment A, filed March 3, 2000). Applicants request that the Examiner confirm that the relationship between the referenced applications, as set forth in the amended Related Application paragraph, is correct in the U.S.P.T.O. records.

If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call Helen E. Wendler, Esq. at (781) 861-6240.

Respectfully submitted,

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